

### Urban Land Institute

**Orange County/Inland Empire** 

YOUNG LEADERS GROUP

### PRO BONO TECHNICAL ASSISTANCE PANEL

PREPARED FOR:



**NOVEMBER 15, 2013** 

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### **EXECUTIVE SUMMARY**

In May 2013, the Urban Land Institute Orange County/Inland Empire ("ULI OCIE") solicited proposals from community nonprofits and charitable organizations that were in need of specific land use direction. Habitat for Humanity of Orange County ("H4H OC") was selected and a pro bono technical assistance panel ("TAP") was formed to provide expertise on the specific land use questions that H4H OC posed. The H4H OC application was picked, in part, because ULI felt that the questions in the application had wide applicability to land use concerns that may be shared by similar non-profits. The panelists, six young professionals, were selected through an application process based on proven knowledge and professional experience related to land use, design, and construction. In addition two ULI mentors were on hand to provide general guidance and assist in delivering a product consistent with past TAPs to H4H OC.

An initial kick-off meeting with all panelists, mentors, and H4H OC was held on September 13th in conjunction with a subsequent tour of the site. At this meeting H4H OC presented the questions asked of the panelists, a brief history of the site, lessons learned from past H4H OC projects, and possible solutions. The initial kick off meeting set the tone and provided the basis of information for the presentation and this report. Existing site conditions were photographed and documented during the site visit that followed the meeting. This gave each of the panelists a firsthand experience of the neighborhood and recent developments within its surrounding. All project site photos included within this report were taken during the site visit.

Over the two months following the kick-off meeting, the panelists met on a weekly basis to discuss the due diligence undertaken, challenges, and resolution to the proposed questions. This fostered a team environment while also ensuring that the panelists had a reasonable amount of project site knowledge going into the TAP work session. Panelists were assigned roles and responsibilities which were reviewed at the weekly meetings.

On November 15, 2013, the panelists and mentors met at the H4H OC boardroom for a full day discussion and work session. The day culminated in a presentation to H4H OC executives on the findings and recommendations of the TAP. This PowerPoint presentation was immediately made available to H4H OC. A copy of the PowerPoint can be obtained by contacting the ULI OCIE office.

The TAP process can only have success with proper communication and teamwork. H4H OC has been a dedicated partner throughout the entire process, fostering communication with the City of Fullerton (City), and the local police department. Through teamwork, the major questions and concerns have been addressed and outlined within this report.

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### INTRODUCTION

The report that follows is a response to H4H OC's scope of work that both addresses H4H OC's key real estate and land use questions while also making recommendations intended to help H4H OC in the decision-making process. The report, by design, does not attempt to address all concerns and encumbrances related to the site in question. Rather, the panelists have pooled their knowledge to answer the specific questions asked by H4H OC. The limited time dedicated to the TAP process does not lend itself to an exhaustive analysis of all concerns. It is recommended that a robust professional team be assembled as H4H OC moves forward. The TAP is available for support as needed.



### THE URBAN LAND INSTITUTE

The Urban Land Institute (ULI) was founded in 1936 as a nonprofit institute to conduct research and provide information on all aspects of real estate development and land use policy. ULI has over 34,000 public and private sector members comprised of professionals in all aspects of real estate development, policy, and regulation. ULI has 65 district councils in the Americas, Europe, the Middle East, and Asia, a worldwide staff of 155, and a \$50 million annual operating budget. The ULI has been a leader in smart growth, mixed use development, urban redevelopment, transportation, and affordable housing. ULI OCIE is ranked the 7th largest district council in the world with over 900 individual members.

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### TECHNICAL ASSISTANCE PANEL

Since 1947, ULI's Advisory Services Program has been assisting communities by bringing together panels of seasoned real estate, planning, financing, marketing, and development experts to provide unbiased pragmatic advice on complex land use and development issues. Often these panels meet with the sponsoring government or non-profit entity for 5 days at a fee of about \$110,000, and typically address issues of a broad and long range scope.

The ULI District Councils provide panel services of one day. A fee is charged, but the panel members are not compensated for their time. To ensure objectivity, panel members cannot be involved in matters pending before or be working for the sponsor and cannot solicit work from the sponsor during the panel's assignment periods.

The Young Leaders Group (YLG) of the ULI OCIE began conducting TAP's in 2007, on a pro bono basis for charitable organizations. This type of TAP was the first of its kind for a ULI District Council. The selection of the panelists consisted of reaching out to the ULI members. TAP's are a way for members to give back to the community. The ULI acknowledges all members who give their time and talent to support a local organization that benefits Southern California. The final outcome of every ULI TAP is:

- Objectivity
- Transparency
- Replicability

### HABITAT FOR HUMANITY

The vision for H4H is, "A world where everyone has a decent place to live." This vision is fulfilled by bringing people together to build homes, community, and hope. With over 25 years of great work in Orange County, California, quite a bit has been accomplished.

H4H OC has asked ULI OCIE to be a part of the vision by providing technical assistance in regards to development of affordable housing within the Richman Park area of Fullerton, CA.

Habitat for Humanity Orange County 2200 Ritchey St, Santa Ana, CA 92705 (714) 434-6200

Sharon Ellis
Executive Director
sharon@habitatoc.org

Mark Korando Senior Vice President Ext 214 mark@habitatoc.org

### HABITAT OC BY THE NUMBERS 25 YEARS OF HISTORY





### **SCOPE OF WORK**

The scope of work for the TAP panel was determined based on the following questions provided by H4H OC. All questions outlined below have been addressed in one or more sections of this report.

### **Acquisition Strategy**

- 1. What is the ownership pattern in the project area?
- 2. What is the process for acquiring public and privately owned parcels?

### **Site Planning and Design**

- 1. What is the right number and mix of affordable ownership and rental units related to income level?
- 2. Can the project be considered a transit oriented development (TOD)?
- 3. How can design and planning address safety and crime issues?
- 4. What is a flexible design concept that can be implemented based on fluid acquisition strategy?

### **Community Engagement**

- 1. What have the stakeholders identified as community needs?
- 2. What are the key components of a community outreach program?

### **Financing Considerations**

- 1. What is the market value for parcels in the project area?
- 2. What funding sources are available to H4H OC?

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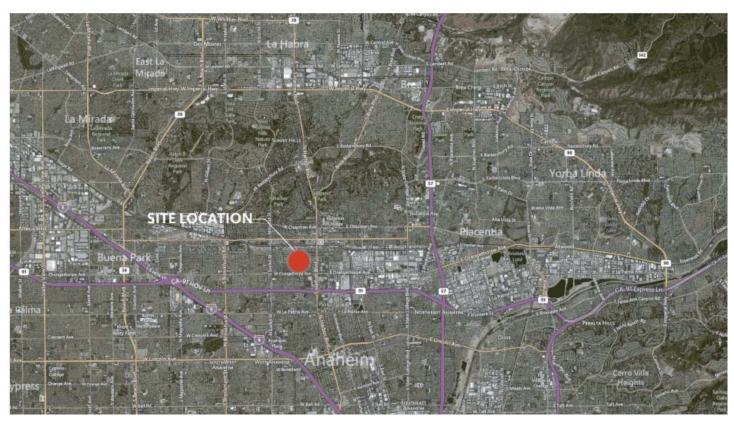
### **EXISTING CONDITIONS**

The initial kick-off meeting and subsequent site visit provided a general overview of the existing conditions. Due diligence was conducted to verify additional conditions that were not available that first day.

### **PROJECT AREA**

The Project Area is located in the Richman Park neighborhood in the City of Fullerton and encompasses approximately 5.3 acres. The Project Area was initially identified based on direction provided by H4H OC and a review of information provided that pertained to the parcels within the overall city block. The Project Area is generally bounded by W. Valencia Drive to the north, Highland Avenue to the east, S. Richmond Avenue to the west, and West Avenue to the south.

Richman Ave. and Highland Ave. are the main thoroughfares for travel north and south. Valencia Drive is the main thoroughfare east and west. Harbor Blvd. is the main artery north and south connecting the community to State Route 91 to the south and State Route 90 to the north.

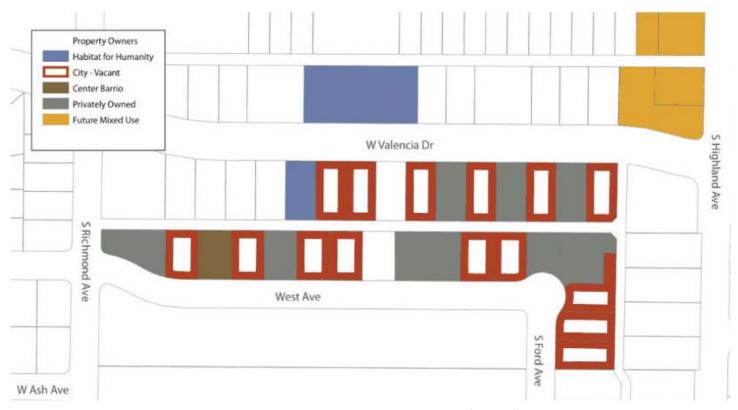


Project Area location in relation to the surrounding region.





An aerial view of the overall neighborhood and area containing the Project Area.



The ownership breakdown and location of each of the properties within the Project Area.

### CITY OWNED LOTS

The Fullerton Redevelopment Agency ("Redevelopment Agency") has invested a considerable amount of time and money to acquire property within the Project Area for the preservation and future development of low and moderate income housing. H4H OC also has a long-standing relationship with the City and has been directly involved in the development of Redevelopment Agency owned sites within the Project Area, which makes them a perfect candidate for future development projects. Of the properties acquired by the Redevelopment Agency, there are 15 parcels that remain and have been cleared of any deteriorated and dilapidated structures in order to prepare for future development. However, any efforts to assemble and potentially develop these vacant parcels were halted when the California Supreme Court upheld Assembly Billx1 26 ("ABx1 26"), which dissolved redevelopment agencies in California as of February 1, 2012.

As a result of the dissolution of redevelopment agencies, the City of Fullerton, which authorized the creation of the Redevelopment Agency, elected to serve as the successor agency to the former Redevelopment Agency ("Successor Agency") on January 10, 2012. Successor Agency's are required to pay down the former Redevelopment Agency's existing indebtedness obligations as well as dispose of non-housing assets and real property held in the Redevelopment Agency's name. Pursuant to ABx1 26 and Assembly Bill 1484 ("AB 1484"), the City of Fullerton also elected to serve as the entity that assumes the housing functions of the former Redevelopment Agency ("Housing Successor Entity") on January 17, 2012.

The Housing Successor Entity retains all the assets (real property or otherwise) that were acquired by the former Redevelopment Agency with low and

moderate income housing funds or for affordable housing purposes. The Housing Successor Entity, as provided for in ABx1 26 and AB 1484, acquired the former low and moderate-income housing assets of the former Redevelopment Agency on August 30, 2012, which included the 15 vacant parcels located within the Project Area. Prior to any future disposition and development of the parcels within the Project Area, the City (as Housing Successor Entity) will need to adhere to any relevant requirements established in ABx1 26, AB 1484 and Senate Bill 341 ("SB 341"), which provides further clarification to the functions performed by housing successor entities.

The fifteen (15) parcels currently owned by the City (as Housing Successor Entity) are vacant, zoned R-3, Residential, and average between 7,000 and 8,000 in lot square footage. In total, all fifteen (15) parcels comprise approximately 2.5 non-contiguous acres in the Project Area. An analysis of the market value of residential vacant land within the Project Area and surrounding market area was not contemplated as part of the scope of work performed by the TAP. However, a preliminary analysis reveals that the estimated market value of sites within the Project Area could fetch as high as \$38 per square foot for vacant residential land.

The price per square foot value is based on an analysis of comparable sales of vacant land with similar zoning within a seven mile radius of the Project Area since January 1, 2011. However, it should be noted that the location, any potential site constraints, and market timing will ultimately determine the value of vacant residential land within the Project Area. The following table presents an estimate of the market value of vacant residential land within the Project Area based on the aforementioned price per square foot value.

Address	Lot Square Footage Estimated Market V			
312 W Valencia Drive	7,874sf	\$299,212		
324 W Valencia Drive	7,874sf	\$299,212		
336 W Valencia Drive	7,874sf	\$299,212		
406 W Valencia Drive	7,874sf	\$299,212		
418 W Valencia Drive	7,874sf	\$299,212		
424 W Valencia Drive	7,874sf	\$299,212		
467 W West Ave	7,000sf	\$266,000		
455 W West Ave	7,175sf	\$272,650		
443 W West Ave	7,175sf	\$272,650		
437 W West Ave	7,175sf	\$272,650		
413 W West Ave	7,175sf	\$272,650		
407 W West Ave	7,175sf	\$272,650		
518 S Ford Ave	8,290sf	\$315,020		
524 S Ford Ave	7,625sf	\$289,750		
530 S Ford Ave	7,325sf	\$278,350		
Totals				
15 Lots	113,359sf (2.5 acres)	\$4,307,642		

Prior to proceeding with the purchase of land in the Project Area, it is recommended that a full market appraisal and further review of comparable sales be conducted. It is also recommended that H4H OC engage the City (as Housing Successor Entity) to discuss alternatives to purchasing any publicly owned property at fair market value. It is likely that the City (as Housing Successor Entity) could write down the value of the land to lessen the financial burden that H4H OC would incur during the acquisition phase of any proposed development projects.







Existing vacant City owned parcels.

### PRIVATELY OWNED LOTS

Within the Project Area, there are ten parcels that are privately held and under multiple ownership. These parcels are currently developed as quadruplexes that vary in terms of building condition as well as building and lot size. The average building and lot size for privately owned property in the Project Area is approximately 3,300sf and 7,900sf, respectively. It should be noted that parcels held under multiple ownership can pose significant development challenges with respect to the timing and cost of acquisition and, as a result, could potentially derail a successful strategy to assemble a large enough site for development. Land acquisition strategies will be explored further in subsequent sections of this summary report.

Based on an initial site visit, information provided by third-party real estate data resources, tax records, and industry experience, the TAP panelists derived a set of broad based assumptions to help determine the breakdown of unit and bedroom counts, condition of privately owned parcels, and real estate market valuations. In terms of unit counts, the TAP panelists relied on initial site visits, Orange County Assessor tax roll information, and discussions with the local police department in order to determine the number of units for each home (approximately 4) and estimated occupancy counts. As a result, each unit is assumed to be 2 bedrooms and 1 bathroom with an estimated occupant count per bedroom of 2 people. However, further research would need to be conducted in order to provide further justification for the number of bedrooms and occupants.

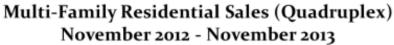
An assessment of the exterior condition of the privately owned properties in the Project Area was conducted by a visual inspection from the public right of way and using Google maps software. If the exterior of the home appeared to be in disrepair or exhibited signs of deterioration, it was

assumed that the interior of the property may also exhibit signs of deferred maintenance. Access to the interior of the homes was not available, thus a simple, Fair – Average – Great, determination has been provided for each property. It should be noted that further inspection by a licensed building inspector or appropriate City staff member would be necessary to help further substantiate any noted deferred maintenance or perceived deterioration and dilapidation.

The current market value of privately owned sites in the Project Area is based on market comparable property sales data and anecdotal data and research indicating positive growth in the southern California and Orange County residential real estate markets. The aforementioned data allowed the TAP to determine a fair market value for properties identified as "Average" and "Great" with an estimated price per building square foot range of \$235 - \$245. The market value for the "Fair" homes is estimated to be \$225 per building square foot. Since a full fair market appraisal of all properties could not be conducted, the home values have been rounded up to reflect that the values are purely estimates and to provide H4H OC with the ability to plan for future acquisition of property, if so desired. The estimated market values have not been adjusted for the difference in lot size. The average and great parcels are based on \$245 per building square foot while the fair parcels are based on \$235 per building square foot. The property at 512 S Ford Avenue is a halfway house therefore we have assumed that the damage and/or partitioning of the interior will offset and increase in value due to a larger site. It is also an awkward shape and accessed through a narrow strip of land.

Address	Lot/ Bldg Square Footage	Year Built	Beds	Baths	Estimated Occupants	Condition	Estimated Market Value	Notes
318 W Valencia Drive	7,874/ 3,136sf	1956	8	4	16	Average	\$769,000	Sold 7/2013 for \$755K
330 W Valencia Drive	7,874/ 3,137sf	1956	8	4	16	Average	\$769,000	
336 W Valencia Drive	7,874/ 3,137sf	1956	8	4	16	Great	\$769,000	
430 W Valencia Drive								Completed H4H OC Homes.
475 W West Ave	9,450/ 2,555sf	1964	6	3	12	Average	\$626,000	
461 W West Ave	7,175/ 3,304sf	1964	8	4	16	Average	\$777,000	For sale. Asking \$795K
449 W West Ave	7,175/ 3,300sf	1964	8	4	16	Average	\$777,000	
425 W West Ave	7,175/ 3,302sf	1964	8	4	16	Fair	\$743,000	
419 W West Ave	7,175/ 3,302sf	1964	8	4	16	Fair	\$743,000	
401 W West Ave	7,841/ 3,304sf	1964	8	4	16	Fair	\$743,000	
512 S Ford Ave	9,560/ 4,416sf	1980	10	4	20	Fair	\$994,000	Halfway Home
Totals								
10 Properties (+ H4H OC existing homes)	79,173/ 32,893		80	39	160		\$7,800,000	

Site specific detail for the privately held properties within the Project Area.





This chart includes comparable market sales data for quadruplexes sold in the City as well as neighboring cities from November 2012 through November 2013. The data indicates that the number of quadruplexes sold during this period were as follows: 116 in Anaheim, 11 in Buena Park, 26 in Fullerton, and 3 in Placentia. Furthermore, while the average sales value in Fullerton, as shown in the above chart, is \$653,000, the real estate market value is increasing and could yield a market value of \$700K or more. For example, recent activity within the Project Area shows that a property located at 318 W. Valencia Drive was recently sold for \$755,000 and a similar property located at 461 W. West Avenue is now on the market for \$795,000. The information displayed in the above chart has been utilized to determine and validate the estimated market value used for the privately owned parcels in the Project Area.

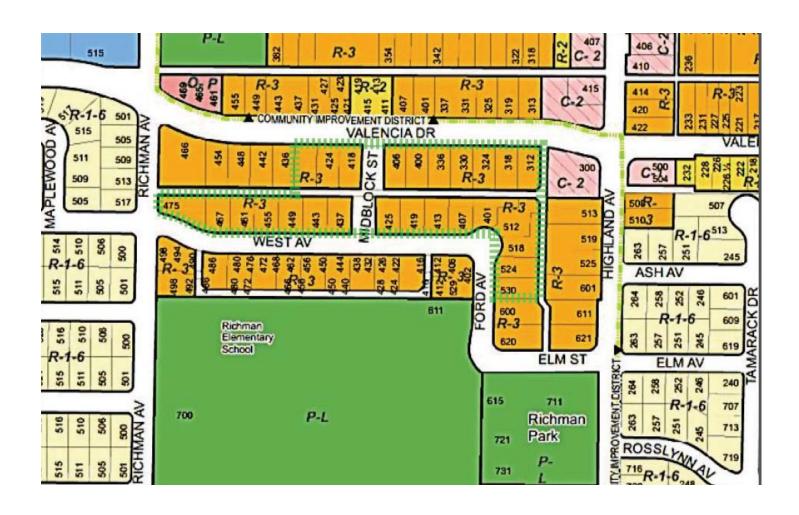


Existing privately-owned parcel within the Project Area.

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### **ZONING AND LAND USE**

The zoning for the entire Project Area is R3. The residential areas to the east and west are zoned R1. There are adjacent commercially zoned lots. See below page from the City of Fullerton zoning maps with the project site noted within the green dashed line.







Examples of recent nearby development projects. The photo on the right is the Olson Development.

Table 15.17.070.B  Minimum Lot Area per Unit for R-3 and R-3P Zones			
Type of Development	Lot Area Required per Dwelling Unit		
Bachelor unit 1 Bedroom unit	1.600 sauare feet 1,700 square feet		
2 Bedroom unit	1,800 square feet		
3+ Bedroom unit	1,900 square feet		
When subterranean parking is			
used	1,600 square feet		
(See Subsection 15.17.070.A.3a)			
When lots are consolidated (See Subsection 15.17.070.A.3b)	1,600 square feet		

The table above from the City residential zoning documentation shows that the existing residential complexes do not in all cases meet current zoning requirements. Zoning variances may be necessary to rebuild the multi family (4 – 2 bedroom units) that were existing on the lots. There are also open space, parking, and other zoning requirements that will likely warrant zoning variances. There is a 25% denisty bonuses for affordable housing development. H4H OC has worked with the City on nearby properties and therefore has set a precedent to work within the City's desires while securing variances.

The table below shows further zoning restrictions in the context of building height when developments are located near R1 zoning districts. This has helped shape the location of the higher density housing component, 100' away from the R1 residential zones. Sensitivity to the adjacent 1 and 2 story neighborhoods has been considered.

The recommendations provided within Option A comply with all zoning requirements, therefore variances are not needed.

Table 15.17.070.F  Maximum Height Requirements for Multiple-family Residential Zones					
Parameter	Reference Subsection	R-G. R-3R. R- 3, R-3P, R-4, R-5 Zones	R-MH Zone		
Maximum height limit within 50 feet of property with an R-1 zone classification	See 15.17.070.C.3	One-story (20 feet)	35 feet		
Maximum height limit between 50 feet and 100 feet of property with an R-1 zone classification	See 15.17.070.C.3	Two-story (30 feet)	35 feet		
Greater than 100 feet from a property with an R-1 zone classification		Unlimited	35 feet		

### **AQUISITION**

In an effort to preserve the supply of low and moderate income housing, the Fullerton Redevelopment Agency acquired and demolished the homes on parcels now owned by the City (as Housing Successor Entity). Subsequent to Assembly BillX1 26, which dissolved redevelopment agencies, the City of Fullerton approved resolution No. 2012-07 electing to serve as Housing Successor Entity. Thus the City of Fullerton, as Housing Successor Entity, has retained control over the vacant parcels. H4H OC should pursue negotiations with the City of Fullerton to determine an appropriate method of disposition of property currently owned by the City and a proposed strategy for the available financing and acquisition strategy related to the privately owned properties within the Project Area.

We have broken out the acquisition/ development strategy into two options, each with multiple phases.

**Option A** – Typical H4H Homeownership program. This methodology and system is already in place.

**Option B** – Typical H4H Homeownership program and a higher density-housing component.

### AQUISITION

Based on for-sale properties, information pertaining to specific properties, and the condition assessment, an acquisition potential for each property was determined (see below diagram). The City owned vacant parcels have been assumed to be the easiest to acquire as they are controlled by the City (as housing successor entity), which has incentive to see development, and are already vacant. Thus no relocation is necessary. The second easiest parcel to acquire would be the one currently on the market. There is a willing seller and the parcel is located between two City-owned parcels. Acquiring such parcel would create a contiguous parcel ready to be developed. The three parcels listed as privately owned with a high potential are the parcels we deemed in need of repair. Where we had no

access to the private parcels let alone the interiors, we simply performed a walk by assessment. Those with blatant deferred maintenance were put on the list for high potential to acquire. The "medium" potential parcels were those considered in reasonable shape, with limited deferred maintenance. There is slightly less desire to acquire these parcels as the market will command a higher price point but also the parcels do not negatively impact the neighborhood. Finally the owner of the corner parcel, marked as low potential, has already made it public that he does not wish to sell. It may be difficult to acquire this parcel if the owner is unwilling to sell. Prospective development may also influence the owner's demand for a higher value.



Aguisition Potential of properties within the Study Area.

### **BOTH OPTIONS**

There are a few recommendations that apply to both of the options outlined within the subsequent sections. These are initial steps that should be reviewed and actions taken, no matter the option pursued:

- 1. Letter of Intent (LOI) Enter into a binding agreement with the City to have first right of refusal on all properties located within the Project Area. This will help determine the level of compensation or considerations required by the City. At this time it is not clear what the City wants in return for access to the land. How would this vacant land be conveved? This is a critical component of the master plan that must be determined up front in order to prioritize and determine the best method for moving forward. The LOI will also provide the following:
  - a. Potential leverage for the project
  - b. Provide confidence for capital donors and/ or investors
  - c. Provide H4H OC flexibility to acquire sites as needed
  - d. May be a necessary step if H4H OC pursues a joint venture opportunity
- 2. Open a dialogue with the private home owners within the Project Area. Determine if any are willing to sell and at what cost. If possible, contract for exclusive rights to obtain the properties.
- 3. Determine H4H OC's commitment to developing rental and/or higher density housing and appetite for risk that comes hand in hand with the new business model

### **OPTION A - HOMEOWNERSHIP**

Option A encompasses building H4H OC homes similar to those already constructed within the neighborhood and within the H4H OC repertoire. H4H OC should focus on constructing new homes any time that two adjacent sites can be acquired either through private acquisitions or through a transaction with the City. Two adjacent sites are preferred to maximize the space, design, and economy of scale. Acquisition would be carried out in a number of phases, as follows:

1. Acquire City owned vacant contiguous parcels. This is the most inexpensive and with the fewest perceived road blocks. Development can pursue once lots are acquired. Negotiating with a private owner, relocation, and demolition are not required.



2. Purchase Center Barrio parcel that is currently on the market for \$795K and acquire the adjacent City owned parcel.



3. Purchase privately held parcels and acquire the adjacent City owned parcels. This will require more capital and will also start to involve acquisition and relocation costs.



4. Purchase remaining privately held parcels. This will be the most capital intensive but the properties are also in the most disrepair therefore the market may not warrant as much on a dollar-per-square-foot basis.



### **OPTION B - HIGHER DENSITY**

### **HOUSING**

This option includes much the same strategy as outlined within option A but a portion of the Project Area will be dedicated to a larger scale multifamily and/or rental option. The phasing of acquisition would be similar to outlined within option A but the parcels located within the northeastern area will not be developed until all parcels within the area can be acquired. Simultaneously, while parcels are being acquired, parcels located outside of the multifamily area can be developed as in option A.

The proposed higher density development housing is located such that it could fall within the boundaries to be considered a transient oriented development (TOD). The arched dashed line in the diagram below represents the ½ mile radius from public transportation within which funding

for TOD projects would apply. To capitalize on these potential funds, as well as maximize the land within the Project Area, the northeast corner has been deemed as the best location for a higher density development.

All parcels within this area would need to be acquired before development could begin. While work to acquire these parcels is completed, H4H OC could also be acquiring City parcels and working with other owners within the Project Area. Similar to option A, once any two adjoining parcels are acquired, development can begin (with the exception of parcels located within the higher density development area).

Option B will be carried out in a number of phases as follows:



1. Acquire City-owned vacant contiguous parcels. Development can pursue on all parcels once they are acquired, with the exception of the two parcels located within the higher density development area. (Same as option A phase 1)



2. Purchase Center Barrio parcel that is currently on the market for \$795K and acquire the adjacent City-owned parcel. (Same as option A phase 2).

Even though this property is outside the higher density development, it is still within the Project Area and low hanging fruit.



3. Concurrently with phases 1 & 2, purchase the 4 privately held parcels and acquire the 5 City owned parcels within the high density development area. These parcels will need to be reserved for the higher density development. This will require more capital and will also start

to involve acquisition and relocation costs. Partnering with an affordable multifamily developer could be a good route but they typically want a minimum of 40 units for a viable project.



4. Purchase privately held parcels and acquire the adjacent City owned parcels.



5. Purchase remaining privately owned parcels.



### **FINANCING**

Historically, affordable housing projects were funded, in large part, through the use of tax increment financing provided to redevelopment agencies under the authority of the California Community Redevelopment Law ("CCRL"). However, since the dissolution of redevelopment agencies, as of February 1, 2012, the availability of tax increment financing to help cities finance the development of affordable housing has been eliminated. As a result, cities are forced to raise capital through alternative financing methods in order to facilitate construction projects, some of which are outlined in this section.

The availability of capital to finance projects and activities proposed by H4H OC will be critical to the successful development of the Project Area. The amount of capital required will be dependent upon, in part, the cost of the acquisition of privately owned parcels and potential relocation costs required. Previous sections of this report present and outline the costs associated with the acquisition of privately owned parcels, which is estimated to be approximately \$7.8M. Subsequent sections of this report will discuss the costs associated with the relocation of tenants that reside in privately owned quadruplexes within the Project Area.

The following section outlines some of the proposed financing alternatives that H4H OC will need to explore, in partnership with the City, in order to determine whether the financial wherewithal exists to facilitate any future projects in the Project Area.

### HOUSING BOND PROCEEDS

On October 5, 2010, the former Fullerton Redevelopment Agency issued the 2010 Taxable Tax Allocation Housing Bonds ("2010 Bonds") in the amount of \$28,980,000 for the purpose of providing the financing for affordable housing projects in the City of Fullerton. The Project Area was specifically identified as one of the areas where this bond financing could help facilitate necessary affordable housing projects and activities.

H4H OC has indicated that the City may be willing to provide \$6 million of the proceeds from the 2010 Bonds to help further H4H OC's development efforts in the Project Area. Furthermore, H4H OC's proposed use of the bond proceeds would help achieve the former Fullerton Redevelopment Agency's goal of continuing to support the development/rehabilitation of housing units for low and moderate income persons and families in the City. According to the Official Statement for the 2010 Bonds, eligible activities for the use of the bond proceeds include:

- New construction of rental development projects
- New construction of ownership development projects
- Multi-family or single family rehabilitation projects
- Property acquisition and development
- Development of transitional living units
- Senior housing
- First time homebuyer program
- Maintenance of mobile homes

If the financing is available, it is recommended that H4H OC propose that the \$6 million of proceeds from the 2010 Bonds be provided for the cost of acquisition of the privately held parcels as well as site preparation costs (demolition/ relocation) and any other public improvement

costs. However, any future use of the proceeds from the 2010 Bonds would need to adhere to newly established requirements dictating the approval and use of the proceeds, which are outlined in SB 341 and AB 1484.

Pursuant to SB 341, the City, as Housing Successor Entity, may designate the use of and commit indebtedness obligation proceeds provided that the expenditures of such proceeds are consistent with the indebtedness obligation covenants and any requirements related to the tax status of those indebtedness obligations. Pursuant to AB 1484, the City, as Successor Agency, must also list the expenditure of bond proceeds on its Recognized Obligation Payment Schedule ("ROPS") for approval by the State Department of Finance ("DOF"), which is adopted every six-months and begins in January and July.

Based on due diligence performed by the TAP, it appears that the City, as Successor Agency, has not included any expenditure of the 2010 Bond proceeds for projects or activities within the Project Area on its ROPS 13-14B, which covers the six-month period beginning in January 2014 and any expenditures through June 2014. Therefore, it is not likely that any monies would be provided to H4H OC for use in the Project Area until the ROPS 14-15A, which begins in July 2014 and covers expenditures through December 2014. Since the ROPS 14-15A is due on March 1, 2014, H4H OC would need to discuss the allocation of bond proceeds with the City prior to that date in order to ensure monies are approved for any anticipated expenditures within the July to December 2014 time period. However, H4H OC should engage the City, as Successor Agency, to confirm when it anticipates any future expenditure of bond proceeds.

It is recommended that prior to the expenditure of the proceeds from the 2010 Bonds, H4H OC and the City conduct a thorough review of all the legal implications of any recent legislation and ensure that any activities are consistent with the bond covenants.

### PRIVATE CAPITAL AND DONATIONS

H4H OC indicated that they are in the process of conducting a capital campaign to raise money for development projects and activities proposed in the Project Area. However, it is understood that "real" generation of capital from donors is not a viable source of funding for any upfront costs associated with project development until "sticks are in the air." Therefore, private donations are not expected to play a large role, in the short-term, in order to fund the acquisition of land, relocation, or other public improvements. However, in the long-term, private donations may serve as a viable option for funding any future construction costs upon assemblage of the land.

H4H OC has also expressed an interest in creating a charitable Land Trust that will be funded by capital campaigns, planned gifts, and land donations. Given that the Project Area contains a significant number of properties and timing of any future development efforts would require a longterm commitment by H4H OC, a charitable Land Trust could serve as a viable option to preserve an adequate supply of land for future development in the Project Area. H4H OC could also evaluate the potential of establishing a Local Housing Trust Fund through the State of California's Local Housing Trust Fund Program, which helps finance the creation or preservation of affordable housing. The Program provides matching grants (dollar-for-dollar) to local housing trust funds that are funded on an ongoing basis from private contributions or public sources. However, raising the matching funds as an applicant and covenant requirements (100% of units for 55 years) may present challenges and should be explored as well. Eligible applicants for this program are cities and counties with adopted housing elements that are in compliance with HCD regulations and charitable nonprofit organizations.

### OTHER FINANCING OPTIONS

H4H OC has expressed a desire to shift its current business model from developing primarily singlefamily homes to venturing into the development of affordable rental housing. If H4H OC proceeds with changing its business model, then Low Income Housing Tax Credits may serve as a viable financing option for any future development in the Project Area. Low Income Housing Tax Credits are an indirect Federal subsidy used to finance the development of affordable rental housing for low-income households. Developers of affordable housing sell these credits to investors to raise capital for their projects, which, as a result, reduces the debt that the developer would otherwise have to borrow to complete a project. Since the debt associated with the development is lower, a tax credit property/development can offer lower, more affordable rents.

However, the proposed development must maintain compliance with program requirements and investors will receive a dollar-for-dollar credit against their Federal tax liability for a period of ten years. Developers of affordable rental housing can apply for either 9% ("9% Tax Credits") or 4% ("4% Tax Credits"), which cover 9% or 4% of the non-depreciable project costs. However, it should be noted that 9% Tax Credits are much more competitive and have a difficult threshold of affordability to achieve. It is recommended that H4H OC explore any potential opportunities to forge a partnership with qualified affordable housing developers that are experienced with tax credit financing in order to facilitate any future development projects within the Project Area.

### RELOCATION

The legal requirements associated with relocation are governed by the California Relocation Assistance Law (California Government Code Section 7260 et seg.; "CRAL") and the California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations, Chapter 6, Section 6000 et seg.; "Guidelines"). Relocation is an important cost factor that H4H OC or the City would need to consider prior to the acquisition of the privately owned and occupied residences within the Project Area. The TAP's review focuses solely on some of the basic requirements and estimated costs that H4H OC or the City would incur with any relocation activities triggered by the disposition and development of privately owned sites in the Project Area. The estimated expenses for such are outlined in the table below:

### **Estimated Relocation Costs (Privately Owned Sites)**

Total Units: 40	Unit Cost	Low	High
Moving Costs (x2)	\$1,100	\$88,000	
	\$1,200		\$96,000
Compensation for rent differential			
42 months	\$300	\$504,000	
	\$600		\$1,008,000
Relocation Administration (Est.)		\$100,000	\$120,000
Subtotal		\$692,000	\$1,224,000
Contingency		5%	5%

TOTAL \$726,600 \$1,285,200

Source: California Relocation Assistance Law and California Relocation Assistance and Real Property Acquisition

Note: Estimates shown above are preliminary and will need further analysis to be conducted in order to establish

Guidelines:Apartments.com: Rent.com

## RELOCATION

As in the previous page indicates, there are a total of ten (10) privately owned and occupied properties within the Project Area, which H4H OC has identified for potential acquisition. The properties each contain four units, which equates to a total of 40 occupied units subject to potential acquisition. In total, H4H OC could be forced to pay approximately \$727K or as high as \$1.3M in relocation if all ten privately owned sites were acquired. However, it should be noted that these figures are purely estimates and cost factors such as the number of tenants, administrative costs, and unforeseen costs related to finding suitable replacement housing for displacees could fluctuate and add significant time and cost to H4H OC's relocation efforts. Therefore, if H4H OC decides to proceed, a comprehensive analysis would need to be conducted in order to provide additional market data and research to support the figures shown in the above table.

The moving costs shown in the table are estimated to be as low as \$1,100 and as high as \$1,200 per unit. The moving costs are multiplied by two to account for moving a relocated tenant to a new unit and back to a newly developed affordable housing site where rents may be much lower. The data used to determine moving costs was provided by the United States Department of Transportation, which calculates a fixed residential moving cost schedule on a state-by-state basis. The rent differential shown in the above table is based on the gap between the estimated rent that the tenants are currently paying and what the current market rent may be for a relocated tenant's new residence. Based on preliminary market research, rents within the Project Area are substantially lower than what the market currently bears for similarly sized units in the City. The Civic Center Barrio parcel, located at 461 West West Avenue, is currently on the market and has four two (2) bedroom, one (1) bath units, which

currently rent for \$925/month. However, this property appears to be in much better condition than many in the neighborhood, which could mean that similarly sized units would fetch a much lower rent.

In comparison, the market rent for a two (2) bedroom, one (1) bath unit in the City of Fullerton is as high as \$1,500/month, which was used to gauge a low (\$300) and high (\$500) rent differential in the above table. It should be noted that the amounts shown in the table are rounded to reflect an average rent differential and to account for any fluctuation in market rents for a two (2) bedroom and one (1) bath unit. If H4H OC or the City were to proceed with relocation, it would be important to explore other strategies that could be implemented to offset relocation costs. One notable alternative is to relocate tenants to existing sites within the City, where vacancies exist, or to development projects as they are completed in order to offset any unnecessary costs of relocation.

An estimated fee to cover the administrative costs of the relocation has also been included in the table, which includes the cost of a relocation consultant. Typically, a professional firm that specializes in relocation would be hired to administer a relocation program and prepare a relocation plan. It is highly recommended that one be consulted before moving forward with acquiring privately owned parcels in the Project Area. A relocation consultant is invaluable in obtaining the required information from existing residents, evaluating potential relocation costs, and assembling the relocation plan. ULI would be happy to recommend some professionals should H4H OC need assistance with this.

### **DESIGN**

The design of the units has married the phasing together with a replicable model that can be implemented throughout the neighborhood. The concept includes grouping multiple units on two adjacent parcels. These clusters shall be designed to maintain safety, beautify the neighborhood, differentiate themselves from one another, and entice neighborly interactions.

### **PRODUCT MIX AND**

### **AFFORDABILITY**

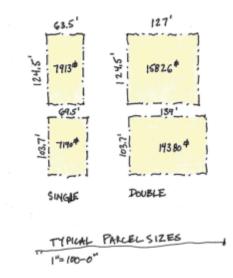
The product mix will be determined by the H4H OC models that are the best fit for the area. The existing 40 units contain two bedrooms for a total of 80 bedrooms while the H4H OC homes typically have three to four bedrooms. The existing two bedroom units tend to be overcrowded. Therefore the three to four bedroom units may be a better fit for the community. The proposition, which meets current zoning requirements, would be 120 units with an average of three bedrooms for a total of 360 bedrooms. A mix of two-bedroom units within the higher density development (option B) may be appropriate to maintain affordability within the neighborhood for very low income qualifiers.

Affordability is based on the stipulations on the use of the bond funding and the department of finance. For the homeownership path, the homes would be geared towards low and moderate income qualifiers.

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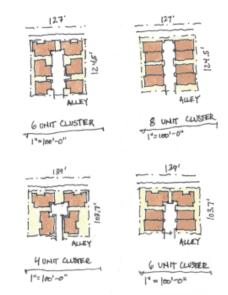
### **CLUSTERS**

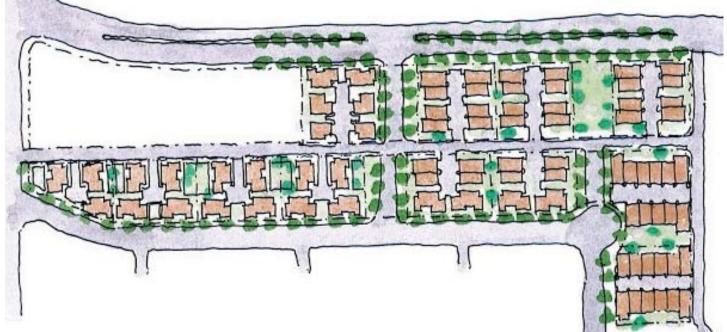
Depending on the parcel size, between 4-8 units could be clustered together on the two adjoining parcels. Below are some concept sketches of possible cluster configurations.



The below diagram shows how the clusters all fit together within the Project Area. The southeastern portion of the Project Area shows a typical row house configuration where 11-12 units could be placed on the parcels.

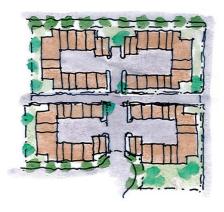
Notice that a new access way has been added providing easy pedestrian access thru the neighborhood and to the park (south of the project site) as well as vehicular access to the alleyway. This organically creates a great location for a pocket park north of the new access way. This configuration includes 25 new single family homes, 32 duplexes, and 23 townhomes for a total of 80 dwelling units. The configuration provides substantial flexibility for varying homeownership types, layouts, and sizes.





### HIGH DENSITY DEVELOPMENT

The high density development will be located in the northeast portion of the Project Area for reasons discussed previously. Outside this area, the clusters would remain the same as outlined in the previous section. Below is a concept sketch of a possible configuration for the high density development.



Below is a conceptual diagram of how the high density development component would work in relation to the clusters. Note the new access way, shown in the clusters diagram, is included within this concept but the pocket park has been replaced with access to the high density development. This configuration includes 23 new single family homes, 12 duplexes, 12 townhomes, and 56 apartments for a total of 103 dwelling units. The configuration provides 23 more dwelling units than option A while maintaining flexibility for varying homeownership types, layouts, and sizes.



### H4H EXISTING PROGRAMMING

The existing H4H OC homes are a great addition and complement the neighborhood wonderfully. Design elements that have proven successful from past projects should continue to be incorporated. Any lessons learned, such as the second floor windows being easily accessed by climbing a nearby fence onto the garage roof should be avoided. Below is the neighboring H4H OC development that was recently completed. The new Project Area should complement the existing without mimicking it. Many of the same design elements can be used within the clusters so that each has a unique flair while maintaining a cohesive neighborhood design.



### **DESIGNING FOR SAFETY**

Three to four years ago, the police department was responding to calls around the study area approximately every 30 minutes. More recently there may be days or even weeks between police calls. Although there remains gang activity and gang members residing within the Project Area, the numbers have dropped dramatically. This is in part due to a gang injunction but also other attributes such as new infrastructure, community organization, and outreach programs. Safety within the community should continue to be

- of the utmost importance. Cleaning up the neighborhood and paying close attention to basic design details will go a long way to mitigating some of the negative behavior. A ride along with the local police was conducted in order to verify the TAP's understanding of the neighborhood both during the day and at night. The local police department was heavily involved in providing the following suggestions:
- Avoid repetitive design elements. If a criminal or fugitive is running from the police, they know and understand the layout of the entire community for the simple fact that they know the place they live and each development is identical. Subtle changes of layout, pathways, access points, fencing, etc. will go a long way in mitigation. A perfect example is that all laundry rooms are accessible from the exterior and always unlocked. The criminals know this and hide inside any laundry room when being chased by the police. The police do not have the ability (for a number of reasons) to check inside every laundry room on the block. This is the perfect segway to the next topic:
- Avoid indoor public space. It is easy for criminals to hide in or defend indoor public spaces. It is also a great place to gather and conduct less than desirable activity. Another good solution to this is designing carports rather than garages. This also reduces the cost of construction. Attention to detail will be required to maintain a clean looking neighborhood.
- Architectural design elements can go a long way towards preventing crime thereby increasing safety. Adequate lighting is a must. Location of doors and windows play a large role. Side doors or concealed/hidden entries are easier to break into. By facing doors and windows towards the street, an "eyes on the street" mentality is created where the community looks out (the windows and doors) for each other.

- Eliminate blank canvasses for graffiti. White garage doors or blank facades facing the street are targets for graffiti. Consider using vegetation rather than blank light colored walls.
- Paseos between homes provide easy access for criminals to move between streets efficiently and quickly. This adds to the scatter effect when police come around. While pedestrian pathways are great and inviting they need to be designed so as to limit bad behavior. A pathway between every home is not needed and impacts the neighborhood negatively. Consider small fences, vegetation, or more habitable space in lieu of numerous pathways. Or create a wider more inviting "promenade" type walkway.
- Ensure Police Access. When the need does arise, police need to have unmitigated access to remedy and issues that arise. Avoid large movable objects that can block access ways. Criminals in the area have been known to wheel dumpsters barricading the alleyways thereby creating areas in which vehicles cannot access and criminals can easily escape from. Further, property addresses should be used as often as possible (rather that unit names or numbers). This facilitates an expedited arrival to the area in question.

### TRANSIT ORIENTED DESIGN

Multifamily projects may qualify for California Transit Oriented Development (TOD) Housing Program funds if located within ½ mile of public transportation. The program is administered by the California Department of Housing and Community Development (HCD) and made possible by the Housing and Emergency Shelter Trust Fund Act of 2006. The object of the program is to increase the supply of affordable housing, while increasing public transit ridership minimizing vehicular trips. Up to \$4 million is available to a housing developer. These funds can be used for:

- Financing
- Obtain construction loans or other project
- Fund the project operating reserve account

The California Transit-Oriented Development Housing Program, which is administered by The California Department of Housing and Community Development (HCD) and made possible by the Housing and Emergency Shelter Trust Fund Act of 2006 was established to increase the supply of affordable housing, public transit ridership, and minimize automobile trips. The Program seeks to accomplish these objectives by providing financial assistance for the development of housing near public transit stations such as the Fullerton Transportation Center Station.

As of May 2013, approximately \$60 million in funding is available for permanent financing and may be used to take out construction loans incurred for normal project development capital costs or to capitalize a project operating reserve account up to an established limit. The maximum Program rental housing development loan amount awarded for a single Housing Development or to a single housing developer applicant is \$4 million. If entering into a joint venture with an affordable housing developer such as Jamboree Housing it is important to note housing developments receiving a nine-percent tax credit allocation from TCAC could be ineligible to receive Program funding.

Based on preliminary analysis, the multi-family component of the project meets the Program requirements in that it falls within the Los Angeles-Long Beach-Santa Ana Census Bureau area, is with within one-half mile from a Qualifying Transit Station (Fullerton Transportation Center); includes at least 15% of low- or very low-income households and meets minimum net density requirements of 25 dwelling units per acre.

### **COMMUNITY NEEDS**

Public outreach should be conducted to determine what would be most beneficial to the community in terms of housing, amenities, and commercial establishments. This outreach should take the form of H4H OC direct, City initiated, internet based (Fullerton Planning Forum), in person, through the existing community centers, public meetings, and other outreach as needed to gain valuable knowledge from all community constituents. A community outreach program similar to what H4H OC has already begun implementing in other communities would go a great way towards understanding what the community wants and what the community needs. As learned from a previous project, community garden sounds like a great idea but in reality, neighborhood pioneers must be in place to maintain the garden, delegate tasks, and administer the programming. Determining what projects and establishments the neighborhood will truly support is the key to success.

Through stakeholder outreach, the panel has identified poverty, safety, and health as top concerns. Solving poverty issues is beyond the scope of this report but designing and constructing affordable housing for all residents goes a long way to solving poverty concerns. Affordable housing also mitigates overcrowding, while providing diversity and opportunity, all alleviating poverty. A complete section on designing for safety is included previously in the Design section of this report. The following section will focus on healthy communities and other attributes of a community that together make it more livable and enjoyable.

### **HEALTHY COMMUNITIES**

A healthy community is a sustainable community. Creating and fostering an environment where inhabitants can learn, thrive, and grow is fundamental to the long term success of the neighborhood.

There are many perspectives of what a healthy community is and there are many varying definitions. When discussing health, the physical, economic, social, and environmental aspects of a neighborhood and its inhabitants must be considered. A healthy community in relation to the Project Area shall take into account the following:

- Safe access to Richman Park. Can the park be utilized by all without fear of gang related activity?
- Access to healthy food options. Could a farmers market be established in the Richman park area?
- Community involvement and ability to get involved.
- Areas for a community to gather. Can mid-block be utilized for block parties?
- Open space
- Ability for plants, animals and people to thrive
- Small businesses operated by neighborhood inhabitants
- Ability to partake in physical activity
- Buildings that do not harm the health if its inhabitants

The bike lane on Valencia Drive is a great conduit to physical activity, while also alleviating vehicular traffic. The divided median provides a place for vegetation and small animals to gather.



Mid-block provides an opportunity for the Project Area to utilize a stretch of pavement that sees limited vehicular traffic. The lush vegetation and new pavement could be a great area for neighborhood children to play and socialize. New units can take advantage of the addition and be orientated towards the street.



Richman Park has an operating Health clinic, active soccer league, BBQ area, and ample lighting for nighttime activities. These all contribute to the success of the park, the neighborhood, and community in general.







### **COMMERCIAL RETAIL SPACE**

It was not the intent of this TAP to determine the correct mix and use of commercial space but understand the city has asked generically what kinds of establishments would thrive within the neighborhood. Already existing within the community are the following:

- Market
- Carwash
- Taco shop
- Auto Body
- Mechanic
- Liquor Store

Based on the existing services located within the community, the following may be reasonable complements. Land use, zoning, and vacant commercial space have not been reviewed. These are simply recommendations that we feel will would fit into the community as a whole.

- Bakery
- Bank
- Butcher Shop
- Another market or shop that sells items related to, or to be used at Richman Park.



### CONCLUSION

### CONCLUSION

Opportunities	Constraints
Existing Relationship with City	Unclear what the City wants in return to access
	to the vacant land
Existing relationship with neighborhood	Active gang members reside in neighborhood
	among other safety concerns
Ongoing neighborhood revitalization	Possible competition from other developers for
	the City's land.
1 property parcel currently for sale	Unknown willingness of other owners to sell
Returning economy	Rising property and real estate values
There is political will – listed in 5 year implementation	Some political desires may not be pointed in the
plan	proper direction (for example midblock street)
Flexibility in land planning	Alley access is required for non-project parcels
Bond funding is available	Funding must be used for affordable housing
	and per the guidelines in place. Department of
	finance must approve, which takes time.
Some vacant land available to build on	Private properties may require relocation costs
Possibility for a larger contiguous parcel of land	Could lead to a new business model for H4H OC
	(rentals and multifamily) or partnership with an
	affordable housing developer.

### **OPPORTUNITIES AND** CONSTRAINTS

Above is a brief synopsis of the opportunities and constraints of the project. This table is meant to give a general overview of the project attributes that have shaped our recommendations. The opportunities and constraints have been discussed in depth throughout the report. Each of these applies to all development options.

### **KEY RECOMMENDATIONS/ NEXT STEPS**

H4H OC must determine how and when the City will provide access to the City owned parcels. The private owners must be consulted to determine willingness to sell. These two steps may determine the path forward as the City may not simply be willing to turn over the property. The private owners may also try to hold out or negotiate for above market compensation. Agreements for both the City owned and private parcels should be put in place. H4H OC should consider whether a new business model makes sense or if the tried and true homeownership programs should continue within the Project Area. If H4H OC would like to move forward with the higher density development, partnership conversations should be carried out with affordable housing developers to determine interest.

# COLLABORATORS

### **COLLABORATORS**

















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